

REMARKS

Applicant requests favorable reconsideration and allowance of this application in view of the foregoing amendments and the following remarks.

Claims 1, 3-7, and 9-19 are pending in this application, with Claims 1, 7, 13, 16 and 19 being independent.

Claims 1, 7, 13, 16 and 19 have been amended. Applicant submits that support for the amendments can be found in the original disclosure at least, for example, at page 2, lines 18-24; page 4, line 20 - page 5, line 2; page 18, line 21 - page 19, line 11; and page 21, lines 14-23. Therefore, Applicant submits that no new matter has been added.

Applicant appreciates the courtesy extended by the Examiner in conducting a telephonic interview with Applicant's representative on March 17, 2009. Although the Examiner advised that she had already issued an Office Action, she permitted Applicant's representative to discuss the features of the claimed invention, and she advised him of the issues raised in the Office Action and discussed those with him.

As pointed out during the telephone interview, the feature of the invalidation unit previously recited in the claims allows a user to remain authenticated by a first authentication mechanism (e.g., logged in) while attempting authentication by a second authentication system, and the first authentication mechanism is not invalidated unless successful authentication by the second authentication mechanism is verified. Accordingly, if authentication by the second authentication mechanism fails, operation can continue under management of the first authentication mechanism. This is in contrast to the prior art, in which a user is logged out of a first authentication mechanism before authentication by a second authentication mechanism, so

that if the authentication by the second authentication mechanism fails, the user may be locked out of both the first and the second authentication mechanisms.

The Examiner indicated her concern that the invalidation unit was not supported in the specification, and further indicated her belief that a newly-cited reference disclosed the feature. She also mentioned the Section 101 issue. However, the Examiner indicated that if the feature described by Applicant's representative were more clearly recited in the claim, and had support in the specification, she believed it would distinguish over the newly-cited art.

As discussed in further detail below, the claims have been amended to clearly recite the feature mentioned above and to conform the claim language more closely to that of the specification. For the reasons discussed below, Applicant submits that all the outstanding rejections have been addressed.

Claims 1, 3-7 and 9-19 were rejected under 35 U.S.C. § 112, first paragraph, as failing to comply with the written description requirement. Applicant respectfully traverses this rejection. Nevertheless, to expedite prosecution, the claims have been amended to conform their language more closely to that of the specification. Applicant submits that support for the amended language can be found in the specification as mentioned above.

Claims 7 and 9-15 were rejected under 35 U.S.C. § 101 as allegedly being directed to non-patentable subject matter. In particular, the Office Action asserts that those claims fail to meet the machine-or-transformation of *In re Bilski*. Without conceding the propriety of this rejection, independent Claims 7 and 13 have been amended to recite that one or more of the recited steps is performed using a processor. Accordingly, Applicant submits that those claims are tied to a particular apparatus and satisfy the test of *Bilski*.

Claims 1, 5-7, 11-14, 16, 17 and 19 were rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,021,496 to Dutcher in view of U.S. Patent Publication No. 2003/0055990 to Cheline et al. Claims 3, 4, 9, 10, 15 and 18 were rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,021,496 to Dutcher in view of U.S. Patent Publication No. 2003/0055990 to Cheline et al. and further in view of U.S. Patent Publication No. 2002/0087894 to Foley. Applicant respectfully traverses these rejections for the reasons discussed below.

As recited in independent Claim 1, the present invention includes, *inter alia*, a changeover control unit adapted to control management of an object of authentication so that successful authentication of an object of authentication in a second authentication mechanism is verified before management is changed over from a first authentication mechanism to the second authentication mechanism, wherein the object of authentication continues to be in an authenticated state in the first authentication mechanism, and is not released from management under the first authentication mechanism, until successful authentication in the second authentication mechanism is verified. According to these features, since the object of authentication remains in an authenticated state in a first authentication mechanism until successful authentication is verified in the second authentication mechanism, the object of authentication can carry on under the first authentication mechanism even if authentication in the second authentication mechanism fails. Accordingly, a situation can be avoided in which management is switched over to a second authentication mechanism, authentication fails in the second authentication mechanism, and an object of authentication, i.e., a user, is then locked out of both a first authentication mechanism and a second authentication mechanism.

Applicant submits that the cited art fails to disclose or suggest at least the above-mentioned features of Claim 1. As mentioned above, the Examiner also indicated in the telephone interview that such features would distinguish over the cited art.


For the foregoing reasons, Applicant submits that the present invention recited in Claim 1 is patentable over the art of record. The other independent claims recite features similar to those of Claim 1 discussed above, and those other independent claims are believed patentable for reasons similar to Claim 1.

The dependent claim are patentable for reasons similar to the independent claims, as well as for the additional features they recite.

In view of the foregoing, Applicant submits that the present application is in condition for allowance. Favorable reconsideration, withdrawal of the outstanding objection and rejections, and an early Notice of Allowance are requested.

Applicant's undersigned attorney may be reached in our Washington, D.C. office by telephone at (202) 530-1010. All correspondence should continue to be directed to our below-listed address.

Respectfully submitted,



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